

Applicants : Joseph C. Kollaritsch et al
Serial No. : 10/779,967
Confirmation : 9113
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The Examiner indicates that currently claims 1 and 45 are generic, but still requests an election of species for prosecution on the merits in the event no generic claim is finally held to be allowable.

Applicants traverse the subject species election requirement on the grounds that the embodiment illustrated in Figures 1-12 is also shown in Figures 15-18. In other words, Figures 15-18 illustrate the impact absorption of the device shown in Figs. 1-12. Applicants acknowledge that the embodiment illustrated in Figs. 13 and 14 is somewhat different than the embodiment illustrated in Figs. 1-12, insofar as the channel members 45a and 46a are mutually connected along horizontal seams 54 and 55 of crush member 12a, instead of the vertical connection associated with crush box assembly 5. Applicants therefore assert that the species election, even if ultimately necessitated, should be revised to reflect that "Species A" is illustrated in Figs. 1-12 and 15-18 inclusive.

Assuming the species election requirement is corrected as noted above, Applicants provisionally elect the species illustrated in Figs. 1-12 and 15-18. Claims 1-18, 20-62 and 64-82 read on the provisionally elected "Species A".

Applicants believe that the admittedly generic claims 1 and 45 are patentable, such that the provisional election is deemed moot.

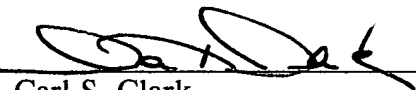
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Favorable action on the merits of the application is earnestly solicited.

Respectfully submitted,

JOSEPH C. KOLLARITSCH ET AL

By: Price, Heneveld, Cooper,
DeWitt & Litton, LLP

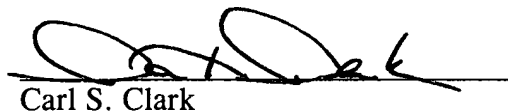


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Carl S. Clark

CSC/jkrp
Enclosure